



General Assembly

**Substitute Bill No. 5554**

February Session, 2016

\* \_\_\_\_\_HB05554ED\_\_\_\_\_031716\_\_\_\_\_\*

**AN ACT CONCERNING REGIONAL EDUCATION.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (1) of subsection (a) of section 10-283 of the  
2 2016 supplement to the general statutes is repealed and the following  
3 is substituted in lieu thereof (*Effective July 1, 2016*):

4 (a) (1) Each town or regional school district shall be eligible to apply  
5 for and accept grants for a school building project as provided in this  
6 chapter. Any town desiring a grant for a public school building project  
7 may, by vote of its legislative body, authorize the board of education of  
8 such town to apply to the Commissioner of Administrative Services  
9 and to accept or reject such grant for the town. Any regional school  
10 board may vote to authorize the supervising agent of the regional  
11 school district to apply to the Commissioner of Administrative  
12 Services for and to accept or reject such grant for the district.  
13 Applications for such grants under this chapter shall be made by the  
14 superintendent of schools of such town or regional school district on  
15 the form provided and in the manner prescribed by the Commissioner  
16 of Administrative Services. The application form shall require the  
17 superintendent of schools to affirm that the school district considered  
18 the maximization of natural light, the use and feasibility of wireless  
19 connectivity technology and, on and after July 1, 2014, the school  
20 safety infrastructure criteria, developed by the School Safety

21 Infrastructure Council, pursuant to section 10-292r, in projects for new  
22 construction and alteration or renovation of a school building. The  
23 Commissioner of Administrative Services shall review each grant  
24 application for a school building project for compliance with  
25 educational requirements and on the basis of categories for building  
26 projects established by the Commissioner of Administrative Services in  
27 accordance with this section. The Commissioner of Education shall  
28 evaluate, if appropriate, whether the project will assist the state in  
29 meeting the goals of the 2008 stipulation and order for Milo Sheff, et al.  
30 v. William A. O'Neill, et al., as extended, or the goals of the 2013  
31 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al.,  
32 as extended. The Commissioner of Administrative Services shall  
33 consult with the Commissioner of Education in reviewing grant  
34 applications submitted for purposes of subsection (a) of section 10-65  
35 or section 10-76e on the basis of the educational needs of the applicant.  
36 The Commissioner of Administrative Services shall review each grant  
37 application for a school building project for compliance with standards  
38 for school building projects pursuant to regulations, adopted in  
39 accordance with section 10-287c, and, on and after July 1, 2014, the  
40 school safety infrastructure criteria, developed by the School Safety  
41 Infrastructure Council pursuant to section 10-292r. The Commissioner  
42 of Administrative Services shall regularly consult with the Connecticut  
43 State Data Center at The University of Connecticut to (A) review  
44 projected enrollment figures included in grant applications for school  
45 building projects, and (B) assist the commissioner in performing an  
46 annual regional school capacity assessment that analyzes student  
47 enrollment for each school facility in any school district adjacent to the  
48 applicant. The Commissioner of Administrative Services shall share  
49 the results of the regional school capacity assessment with each  
50 applicant. Notwithstanding the provisions of this chapter, the Board of  
51 Trustees of the Community-Technical Colleges on behalf of Quinebaug  
52 Valley Community College and Three Rivers Community College and  
53 the following entities that will operate an interdistrict magnet school  
54 that will assist the state in meeting the goals of the 2008 stipulation and  
55 order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, or

56 the goals of the 2013 stipulation and order for Milo Sheff, et al. v.  
57 William A. O'Neill, et al., as extended, as determined by the  
58 Commissioner of Education, may apply for and shall be eligible to  
59 receive grants for school building projects pursuant to section 10-264h  
60 for such a school: [(A)] (i) The Board of Trustees of the Community-  
61 Technical Colleges on behalf of a regional community-technical  
62 college, [(B)] (ii) the Board of Trustees of the Connecticut State  
63 University System on behalf of a state university, [(C)] (iii) the Board of  
64 Trustees for The University of Connecticut on behalf of the university,  
65 [(D)] (iv) the board of governors for an independent institution of  
66 higher education, as defined in subsection (a) of section 10a-173, or the  
67 equivalent of such a board, on behalf of the independent institution of  
68 higher education, [(E)] (v) cooperative arrangements pursuant to  
69 section 10-158a, as amended by this act, and [(F)] (vi) any other third-  
70 party not-for-profit corporation approved by the Commissioner of  
71 Education.

72 Sec. 2. (NEW) (*Effective July 1, 2016*) A regional educational service  
73 center may enter into an agreement with one or more local or regional  
74 boards of education to provide administrative services related to the  
75 operation and management of the school district or districts under the  
76 jurisdiction of such board or boards to enable any such board to carry  
77 out its duties specified in the general statutes. Such agreements may  
78 include (1) the sharing of administrative staff, and (2) the provision of  
79 administrative services by regional educational service center  
80 personnel, such as the management of pupil personnel, data collecting  
81 and reporting, financial management and business services,  
82 information technology services, monitoring of compliance with state  
83 and federal education laws, facilities management, provision of  
84 teachers and staff, and other services.

85 Sec. 3. Section 10-660 of the general statutes is repealed and the  
86 following is substituted in lieu thereof (*Effective July 1, 2016*):

87 The Department of Education shall encourage the use of regional  
88 educational service centers as providers of goods and services for local

89 and regional boards of education and may award special consideration  
90 to grant applications that indicate the use of services of regional  
91 educational service centers or joint purchasing agreements among  
92 boards of education for the purpose of purchasing instructional or  
93 other supplies, testing materials, special education services, health care  
94 services, [or] food or food services or administrative services.

95       Sec. 4. Section 10-158a of the 2016 supplement to the general statutes  
96 is repealed and the following is substituted in lieu thereof (*Effective July*  
97 *1, 2016*):

98       (a) Any two or more boards of education may, in writing, agree to  
99 establish cooperative arrangements to provide school accommodations  
100 services, programs or activities, special education services, health care  
101 services or alternative education, as defined in section 10-74j, to enable  
102 such boards to carry out the duties specified in the general statutes.  
103 Such arrangements may include the establishment of a committee to  
104 supervise such programs, the membership of the committee to be  
105 determined by the agreement of the cooperating boards. Such  
106 committee shall have the power, in accordance with the terms of the  
107 agreement, to (1) apply for, receive directly and expend on behalf of  
108 the school districts which have designated the committee an agent for  
109 such purpose any state or federal grants which may be allocated to  
110 school districts for specified programs, the supervision of which has  
111 been delegated to such committee, provided such grants are payable  
112 before implementation of any such program or are to reimburse the  
113 committee pursuant to subsection (d) of this section for transportation  
114 provided to a school operated by a cooperative arrangement; (2)  
115 receive and disburse funds appropriated to the use of such committee  
116 by the cooperating school districts, the state or the United States, or  
117 given to the committee by individuals or private corporations; (3) hold  
118 title to real or personal property in trust, or as otherwise agreed to by  
119 the parties, for the appointing boards; (4) employ personnel; (5) enter  
120 into contracts; and (6) otherwise provide the specified programs,  
121 services and activities. Teachers employed by any such committee

122 shall be subject to the provisions of the general statutes applicable to  
123 teachers employed by the board of education of any town or regional  
124 school district. For purposes of this section, the term "teacher" shall  
125 include each professional employee of a committee below the rank of  
126 superintendent who holds a regular certificate issued by the State  
127 Board of Education and who is in a position requiring such  
128 certification.

129 (b) Subject to the provisions of subsection (c) of this section, any  
130 board of education may withdraw from any agreement entered into  
131 under subsection (a) of this section if, at least one year prior to the date  
132 of the proposed withdrawal, it gives written notice of its intent to do so  
133 to each of the other boards. Upon withdrawal by one or more boards  
134 of education, two or more boards of education may continue their  
135 commitment to the agreement. If two or more boards of education  
136 continue the arrangement, then such committee established within the  
137 arrangement may continue to hold title to any real or personal  
138 property given to or purchased by the committee in trust for all the  
139 boards of education which entered the agreement, unless otherwise  
140 provided in the agreement or by law or by the grantor or donor of  
141 such property. Upon dissolution of the committee, any property held  
142 in trust shall be distributed in accordance with the agreement, if such  
143 distribution is not contrary to law.

144 (c) If a cooperative arrangement receives a grant for a school  
145 building project pursuant to chapter 173, the cooperative arrangement  
146 shall use the building for which the grant was provided for a period of  
147 not less than twenty years after completion of such project. If the  
148 cooperative arrangement ceases to use the building for the purpose for  
149 which the grant was provided, the Commissioner of Education shall  
150 determine whether (1) title to the building and any legal interest in  
151 appurtenant land reverts to the state, or (2) the cooperative  
152 arrangement reimburses the state an amount equal to ten per cent of  
153 the eligible school building project costs of the project.

154 (d) Any cooperative arrangement established pursuant to this

155 section, or any local or regional board of education which is a member  
156 of such a cooperative arrangement which transports students to a  
157 school operated by such cooperative arrangement shall be reimbursed  
158 in accordance with the provisions of section 10-266m. At the end of  
159 each school year, any such cooperative arrangement or local or  
160 regional board of education which provides such transportation shall  
161 file an application for reimbursement on a form provided by the  
162 Department of Education.

163 (e) A local or regional board of education that is a member of a  
164 cooperative arrangement may, for purposes of reporting expenditures  
165 of such board of education pursuant to sections 10-10c and 10-227, as  
166 amended by this act, report all expenditures made by such board of  
167 education in accordance with the terms of the agreement entered into  
168 under subsection (a) of this section as a single total annual expenditure  
169 of such board of education. Any local or regional board of education  
170 that reports such cooperative arrangement expenditures in a manner  
171 prescribed by this subsection shall provide a description of which local  
172 or regional expenses were provided, in whole or in part, by the  
173 cooperative arrangement and shall not be required to report the  
174 specific amount of each such expense.

175 (f) Each cooperative arrangement shall annually file an independent  
176 public school financial report, in a manner similar to section 10-227, as  
177 amended by this act, that includes information related to expenses for  
178 the activities described in subsection (a) of this section.

179 Sec. 5. Section 10-227 of the general statutes is repealed and the  
180 following is substituted in lieu thereof (*Effective July 1, 2016*):

181 Each board of education shall cause the superintendent to make  
182 returns not later than September first of each year to the Commissioner  
183 of Education of the receipts, expenditures and statistics, as prescribed  
184 by the commissioner, provided each such board may submit revisions  
185 to the returns in such form and with such documentation as required  
186 by the commissioner no later than December thirty-first of each year

187 following the September submission. Each board of education that is a  
 188 member of a cooperative arrangement, pursuant to section 10-158a, as  
 189 amended by this act, shall cause the superintendent to make a report  
 190 not later than September first of each year to the commissioner of the  
 191 expenditures under the cooperative arrangement, as described in  
 192 subsection (e) of section 10-158a, as amended by this act, provided  
 193 each such board may submit revisions to the report in such form and  
 194 with such documentation as required by the commissioner not later  
 195 than December thirty-first of each year following the September  
 196 submission. Such reports or returns required shall be made in  
 197 accordance with the instructions furnished by the commissioner, shall  
 198 be certified no later than December thirty-first of each year by the  
 199 independent public accountant selected pursuant to section 7-392 for  
 200 the purpose of auditing municipal accounts, and shall be subject to  
 201 Department of Education verification. If the returns and statistics and  
 202 revisions called for by said commissioner are not sent on or before the  
 203 days specified in this section or if the returns are not certified as  
 204 required by the commissioner on or before December thirty-first, each  
 205 local and regional board of education required by law to make  
 206 separate returns, whose returns and statistics or revisions are delayed  
 207 until after those days, shall forfeit of the total sum which is paid for  
 208 such board of education from the State Treasurer an amount to be  
 209 determined by the State Board of Education, which amount shall be  
 210 not less than one thousand dollars nor more than ten thousand dollars.  
 211 The amount so forfeited shall be withheld from a subsequent grant  
 212 payment as determined by the commissioner. Notwithstanding the  
 213 penalty provision of this section, the Commissioner of Education may  
 214 waive said forfeiture for good cause.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2016	10-283(a)(1)
Sec. 2	July 1, 2016	New section
Sec. 3	July 1, 2016	10-66o
Sec. 4	July 1, 2016	10-158a

Sec. 5	July 1, 2016	10-227
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**Statement of Legislative Commissioners:**

In Section 1(a)(1)(B), "adjacent school districts" was replaced with "any school district adjacent to the applicant" for clarity and in Section 2, "school district to enable such boards to carry out the duties" was replaced with "school district or school districts under the jurisdiction of such board or boards to enable any such board to carry out its duties" for clarity.

**ED**      *Joint Favorable Subst.*